

### REMARKS

Reconsideration and the timely allowance of the pending claims, in view of the following remarks, are respectfully requested.

Prior to this Amendment, claims 1-18 were pending. By this Amendment, claims 1-3 are amended. Claims 4 and 9-17 have been canceled without prejudice or disclaimer of the subject matter contained therein. Claims 5-8 remain unchanged. Claim 19-26 have been newly added. Accordingly, after entry of this Amendment, claims 1-3, 5-8 and 18-26 will remain pending. Claims 1, 18 and 20 are independent claims.

In the pending Office Action, claims 1-5 and 18 were rejected under 35 U.S.C. 102(b) as being unpatentable by Kimura et al. (US 5,905,844; hereafter "Kimura"). Claims 6-8 were rejected under 35 U.S.C. § 103 as being unpatentable over Kimura in view of Murase et al. (US 6,611,655; hereinafter "Murase"). Claims 9-11 and 15-17 were rejected under 35 U.S.C. § 103 as being unpatentable over Kimura in view of Nishigaki et al. (US 5,825,968; hereinafter "Nishigaki"). Claims 12-14 were rejected under 35 U.S.C. § 103 as being unpatentable over Kimura in view of Nishigaki in further view of Murase.

Applicants respectfully traverse the rejections at least for the reason presented below.

#### **I. Rejections under 35 U.S.C. 102**

In the Office Action, claims 1-5 and 18 were rejected under 35 U.S.C. 102(b) as being unpatentable by Kimura. Claim 4 has been canceled and thus the rejection of claim 4 has been rendered moot. Applicants respectfully disagree with the rejection of claims 1-3, 5 and 18 and, therefore, respectfully traverse same.

Kimura discloses a recording device which handles recording reservation (Fig. 58a). Kimura does not discuss detection of duplicate copy prohibition information showing copying of a video signal is allowed only once. Thus, Kimura fails to disclose at least the limitations of "copy information detecting means for detecting at least duplicate copy prohibition information showing copying of the video signal is allowed only once" and "first recording control means for causing the recording means to record a target video signal where a synchronization signal is detected via the input means on the basis of the recording reservation information to be received by the reservation receiving means, at least when the duplicate copy prohibition information received from the copy information detecting means

is attached to the target video signal” recited in claim 1. Also, Kimura fails to disclose at least the limitations of “detecting at least duplicate copy prohibition information showing copying of a video signal is allowed only once” and “recording a target video signal on the basis of the received recording reservation information, at least when the duplicate copy prohibition information is attached to the target video signal” recited in claim 18. Accordingly, Kimura does not disclose all the limitations of claims 1 and 18 and cannot anticipate claims 1 and 18. Claims 2-3 and 5 depend on claim 1 and recite further limitations. Thus, the rejection should respectfully be withdrawn.

## **II. Rejections under 35 U.S.C. 103**

In the Office Action, claims 6-8 were rejected under 35 U.S.C. § 103 as being unpatentable over Kimura in view of Murase. Applicants respectfully disagree with the rejection and, therefore, respectfully traverse same.

As shown above, Kimura does not discuss detection of duplicate copy prohibition information showing copying of a video signal is allowed only once. Murase discloses a recording device that receives recording reservations. However, Murase does not discuss detection of duplicate copy prohibition information showing copying of a video signal is allowed only once. Accordingly, Murase does not cure the deficiencies noted with respect to Kimura.

Thus, the combination of Kimura and Murase fails to teach or suggest at least the limitations of “copy information detecting means for detecting at least duplicate copy prohibition information showing copying of the video signal is allowed only once” and “first recording control means for causing the recording means to record a target video signal where a synchronization signal is detected via the input means on the basis of the recording reservation information to be received by the reservation receiving means, at least when the duplicate copy prohibition information received from the copy information detecting means is attached to the target video signal” recited in claim 1. The combination of these references fails to teach or suggest all the limitations of claim 1 and thus cannot render claim 1 obvious. Claims 6-8 depend on claim 1 and recite further limitations. Thus, the rejection should respectfully be withdrawn.

In the Office Action, claims 9-11 and 15-17 were rejected under 35 U.S.C. § 103 as being unpatentable over Kimura in view of Nishigaki. Claims 12-14 were rejected under 35 U.S.C. § 103 as being unpatentable over Kimura in view of Nishigaki in further view of Murase. Claims 9-17 have been canceled. Thus, these rejections are rendered moot.

Nishigaki discloses an apparatus and method for controlling a record operation based on a copy inhibiting signal (claims 1, 3). Nishigaki discloses copy inhibiting signal detectors 6, 10 and 14 that detect copy inhibiting signals (Fig. 1). Nishigaki does not discuss detection of duplicate copy prohibition information showing copying of a video signal is allowed only once. Thus, Applicants believe that the combination of Kimura, Murase and Nishigaki cannot render independent claims 1, 18 and 20 obvious.

Furthermore, Nishigaki fails to discuss a technique of displaying or recording the stop information which indicates stopping due to the absence of video signals and the stop information which indicates stopping due to copy prohibition, distinctively, as information relating to stopping of recording. Thus, Applicants believe that the combination of Kimura, Murase and Nishigaki cannot render claims 2, 3 and 19 obvious.

**III. Conclusion**

In view of the foregoing, Applicants respectfully submit that the Examiner reconsider the rejections of the claims, withdraw the rejections, and pass this application quickly to issue.

If there are any fees due for entry of this submission that are not otherwise accounted for, Applicants ask that any such fees be charged to our Deposit Account No. 03-3975, with reference to Order No. 008312/0284083.

Respectfully submitted,

PILLSBURY WINTHROP LLP

A handwritten signature in black ink, appearing to read "Jeffrey D. Karceski", is enclosed within a hand-drawn oval.

JEFFREY D. KARCESKI

Reg. No. 35,914

Tel. No. (703) 905-2110

Fax No. (703) 905-2500

Date: July 8, 2004  
P.O. Box 10500  
McLean, VA 22102  
(703) 905-2000

JDK:yo